



Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2829

PATENT
Attorney Docket No. 040894-7026

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JEP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Takuto YOSHIDA, et al.

Application No.: 10/830,220

Filed: April 23, 2004

For: INSPECTION COAXIAL PROBE AND
INSPECTION UNIT INCORPORATING
THE SAME

Confirmation No.: 9332

Group Art Unit: 2829

Examiner: Roberto Valez

Mail Stop AF

Commissioner for Patents
Customer Window, **Mail Stop AF**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated February 22, 2007, the period for response to which extends through August 22, 2007, finally rejecting claims 1-8.

08/21/2007 JADD01 00000026 500310 10030220
01 FC:1401 500.00 DA
02 FC:1253 900.00 DA

1. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants request an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|--|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input checked="" type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Please charge Deposit Account No. 50-0310 in the amount of **\$900.00** for the extension of time fee. A petition for extension of time with the one (1) month extension of time fee of \$120 was filed on June 22, 2007.

If an additional extension of time is required, please consider this a Petition therefor.

2. Notice of Appeal Fee - 37 C.F.R. 1.17(b)

- ☒ The Commissioner is authorized to charge the appeal fee of **\$500.00** to Deposit Account No. 50-0310.

3. Fee Payment

- ☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of **\$1,400.00** representing the Notice of Appeal fee (\$500) and extension of time fee (\$900).

4. Constructive Petition


- ☒ **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 20, 2007

By:



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